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TITLE 230– DEPARTMENT OF BUSINESS REGULATION

CHAPTER 20 – INSURANCE

SUBCHAPTER 05 – PERSONAL LINES - AUTOMOBILE AND HOMEOWNERS INSURANCE

Part 4 - Reinspection of Collision Damage Claims

4.1 Authority

This Regulation is promulgated pursuant to R.I. Gen. Laws § 27-10.1-9.

4.2 Purpose

The purpose of this Regulation is to permit insurers to reinspect up to ten percent (10%) of all automobile insurance claims after collision damage is repaired. Nothing in this Regulation shall preclude an insurer from reinspecting more than ten percent (10%) of claims

4.3 Definitions

A. As used in this Regulation:

1. "Director" means the Director of Business Regulation or his or her designee.
2. "Insurer" means all persons, firms, corporations or associations authorized to offer automobile insurance in this state.
3. "Collision Damage" means loss to the insured's vehicle caused by its collision with other vehicle or object or its upset, or damage caused by theft of the insured vehicle regardless of the coverage under which the claim is paid..
4. "Claim" means a demand for payment of loss by a claimant.
5. "First Party Claim" means a demand for payment of loss made by an individual, corporation, association, partnership, or other legal organization, under their own insurance policy, arising out of the occurrence of the contingency or loss covered by the policy
6. "Third Party Claim" means a demand for payment made against another persons' insurance policy

4.4 Reinspection of Collision Damage Claims

- A. Every insurer authorized to offer automobile insurance in this state may reinspect up to ten percent (10%) of all collision damage claims after any collision damage has been repaired
- B. The insurer may at any time before a repaired vehicle is delivered to its owner, inform the auto body repair shop, corporation, business, partnership, or person, which has repaired the vehicle, of its intent to reinspect the vehicle.
- C. Such reinspection shall not be performed in a manner that interferes with the operation of the auto body repair shop and shall occur no later than two (2) business days after the insurer is informed by the auto body repair shop, corporation, business, partnership, or person that has repaired the vehicle of its availability for reinspection

4.5 Severability

If any provision of this Regulation or the application thereof to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality shall not affect other provisions or applications of this Regulation which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Regulation are severable.